

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SHEFFIELD JEROME JONES,

Plaintiff,

v.

Case No. 2:06-cv-158
HON. R. ALLAN EDGAR

UNKNOWN GOLLODAY, et al.,

Defendants.

MEMORANDUM AND ORDER

Plaintiff Sheffield Jerome Jones, a state prisoner in the custody of the Michigan Department of Corrections, brings this civil rights action under 42 U.S.C. § 1983. After initial review and screening of the plaintiff's complaint, Magistrate Judge Timothy P. Greeley has submitted a report and recommendation pursuant to 28 U.S.C. § 636(b)(1) and W.D. Mich. LCivR 72.1 and 72.2. [Doc. No. 6]. The Magistrate Judge recommends that the complaint be dismissed without prejudice for failure to exhaust available administrative remedies as required by 42 U.S.C. § 1997e(a).

Plaintiff has filed objections [Doc. No. 7]. After reviewing the record, the Court finds that the plaintiff's objections are without merit. The plaintiff's complaint fails to adequately plead and establish that plaintiff has exhausted his available administrative remedies. The Court **ACCEPTS and ADOPTS** the report and recommendation as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b), and W.D. Mich. LCivR 72.3(b). The plaintiff's complaint shall be **DISMISSED WITHOUT PREJUDICE**. A separate judgment will be entered.

SO ORDERED.

Dated: August 23, 2006

/s/ R. Allan Edgar
R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE